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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 TRACY GRECO,

8 Plaintiff(s),

Case No. 2:17-CV-2362 JCM (NJK)

ORDER

9 v.

10 NANCY A. BERRYHILL,

11 Defendant(s).

12
13 Presently before the court is Magistrate Judge Koppe's report and recommendation
14 ("R&R") in the matter of *Greco v. Berryhill*, case number 2:17-cv-02362-JCM-NJK. No
15 objections have been filed, and the deadline for doing so has passed.

16 Upon considering plaintiff's motion to remand to the Social Security Administration (ECF
17 No. 18) and the commissioner's countermotion to affirm (ECF No. 23), Magistrate Judge Koppe
18 concluded that the ALJ did not err in partially rejecting Dr. Kristina Shurtleff's medical opinion
19 in finding that plaintiff is not disabled. (ECF No. 23 at 9). Because this was the sole issue raised
20 on appeal, Magistrate Judge Koppe recommended plaintiff's motion to remand be denied, and the
21 commissioner's countermotion to affirm be granted. *Id.*

22 This court "may accept, reject, or modify, in whole or in part, the findings or
23 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects
24 to a magistrate judge's report and recommendation, then the court is required to "make a de novo
25 determination of those portions of the [report and recommendation] to which objection is made."
26 28 U.S.C. § 636(b)(1).

27 Where a party fails to object, however, the court is not required to conduct "any review at
28 all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149

1 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a
2 magistrate judge's report and recommendation where no objections have been filed. *See United*
3 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review
4 employed by the district court when reviewing a report and recommendation to which no
5 objections were made).

6 Nevertheless, this court conducted a *de novo* review to determine whether to adopt the
7 recommendation of the magistrate judge. Upon reviewing the recommendation and underlying
8 briefs, this court finds good cause appears to adopt the magistrate judge's findings in full.

9 Accordingly,

10 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Magistrate Judge Koppe's
11 report and recommendation (ECF No. 23) are ADOPTED in their entirety.

12 IT IS FURTHER ORDERED that plaintiff's motion to remand (ECF No. 18) is DENIED.

13 IT IS FURTHER ORDERED that the commissioner's counter-motion to affirm (ECF No.
14 21) is GRANTED.

15 The clerk of court is instructed to enter judgment accordingly and close the case.

16 DATED November 15, 2018.

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UNITED STATES DISTRICT JUDGE